

Minutes of the Zoning Board of Appeals Meeting of August 15, 2013 -6:00 P.M.

MEMBERS PRESENT: Regis Barrett, Chairman
 Jeanne Hartman
 Earl Bloam
 Wally Parker
 Dean Bredenbeck

ABSENT:

ALSO PRESENT: Barbara Stanton, Secretary
 Edward Fitzgerald, Building Commissioner

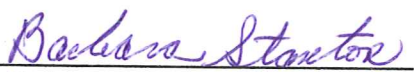
Chairman Barrett – I would like to call the Zoning Board of Appeals meeting to order. Roll call was taken and the following members were present, Regis Barrett, Jeanne Hartman, Earl Bloam, Wally Parker, Dean Bredenbeck.

A motion was made by Jeanne Hartman, second by Dean Bredenbeck to approve the minutes from May 30, 2013. **Vote Resulted: Yes – Regis Barrett, Jeanne Hartman, Wally Parker, Dean Bredenbeck. Abstain: Earl Bloam.**

Chairman Barrett: **Item #1** – Old Business: A request from Patrick Donelon for a variance to not provide required two-car undercover parking for an additional 12 to 18 months previously heard at the November 17, 2011 and February 21, 2013 meetings at the property located at 6607 Vandalia Avenue. 1129.02 (c) The Board of Zoning Appeals is requesting a re-hearing. Patrick Donelon was present: I cannot afford the expense at this time for the garage. What I would like to do is asphalt the driveway. I have a few estimates for it. I have three companies come out for the backyard and they want over \$2,000.00 to pull everything out and re-do it. I have a Sunbelt receipt and rent the equipment to do it myself but I have wiring problems with the trailer. I need to re-wire the entire harness. That is going to be done Saturday so I can pick up the equipment on Monday morning. I am renting a brush cutter and sod cutter. I am going to cut out 12 inches from the backyard, bring in top soil and re-seed. Mr. Donelon presented the Board with a rental agreement for the equipment. I will have the money next Friday for the driveway. The driveway should be completed within a week to 10 days. Chairman Barrett: Are you being threatened with foreclosure? Mr. Donelon: No, I have been making my house payments. Jeanne Hartman: I thought this meeting was to discuss a variance to not provide required two car undercover parking for another 18 months. What does this have to do with re-doing the backyard and driveway? Mr. Donelon: I do not have the money for the garage. I am doing what I can to make the property look better. I wanted to spray paint the house, but it has been windy and I do not want the over spray to go on other residents property. Chairman Barrett: This has been going on for the past 2 or 3 years. You tore the garage down because it was in bad shape. You were to replace the garage within 6 months and that didn't happen. You have had financial difficulty. We are getting complaints from neighbors about the condition of the front and backyard, and porch. Mr. Donelon: The porch is completed but I have not completed the steps yet because I have to figure out some way to box the old concrete steps so the City can pick it up. I would like to get the house painted first and then finish up the railing in front of the porch and do the steps. Earl Bloam: Why have you waited all these years before you are going to start cutting weeds? The porch is not finished. It looked like you went as far as to be able to walk into the front door. I looked through the fence and the weeds are unbelievable. It is a disgrace. You come to the meeting and all of a sudden you are going to complete all these projects, when you have had all the time prior to this meeting. I can understand about the financial burden of the garage. But to let your yard and front porch get to that condition is totally irresponsible. Mr. Donelon: The yard is worse now. The stuff grows back. Things are starting to get better because I have some money to get things done. Earl Bloam: It doesn't cost money to cut the weeds. Dean Bredenbeck: I am familiar with contempt of court. But I do not know how it applies to

the Zoning Board requests or understandings. Chairman Barrett: What can happen in this case is if we stop issuing the variances then we can have the building inspector start writing violations. We have tried to avoid that because we are hoping he would get his act together rather than pay fines. These are the first positive remarks we have heard from Mr. Donelon. There was further discussion. Jeanne Hartman: What I keep hearing is a lot of excuses and estimates. Chairman Barrett: You put the floor on the front porch, the wood is still lying there, and no rails have been put up. The driveway needs to be replaced. It appears that you do not care. There was further discussion regarding the appearance of the property. Dean Bredenbeck: Have we heard any feedback from the neighbors? Chairman Barrett: Yes, the neighbors are not happy. One of the better things he can do is re-place the driveway. Your roof needs to also be replaced. Mr. Donelon: The roof is going to be done within the next couple months. Chairman Barrett: How much are you going to get accomplished by winter? Mr. Donelon: Driveway, new backyard, porch finished off the house will be painted and a new roof before the end of the year. The only problem would be getting enough money together to do the roof. I'm calling the salesmen tomorrow to sign a contract for the driveway. The driveway should be done within two weeks. Monday the backyard will be out and within a week or so I will be replanting the grass. The house will be spray painted. Chairman Barrett: So in about 6 months you should be in good shape excluding the garage. I can have guys pour the garage pad. Earl Bloam: There are two issues: one is the garage and the other is the deterioration of the property. I can see not having the money for the garage but there is no excuse for the condition of the property. Commissioner Fitzgerald: The driveway will need a permit. The porch is railings and steps which do not need a permit. Painting of house does not need a permit or the backyard repairs. The roof will need a permit. Wally Parker: My problem is that you have been in front of this Board before and we heard the same things and nothing has been done. Money has nothing to do with housekeeping. Chairman Barrett: If we give him six months to do the repairs as he stated and three months from now Commissioner Fitzgerald will inspect the progress. Earl Bloam: I would like an inspection before three months because the weeds need to be taken care of. In one week we should see some results. Chairman Barrett: At the end of three months if the Commissioner is not satisfied of what has been accomplished, then a citation should be issued. There was further discussion regarding the progress of the items Mr. Donelon mentioned to be accomplished. Chairman Barrett: We need a commitment of what Mr. Donelon can accomplish in three months. If the work is not completed in three months we could possibly grant another three months. If there isn't some progress made, Commissioner Fitzgerald can write a citation. After further discussion a motion was made by Earl Bloam, second by Chairman Barrett to grant the variance contingent of the asphalt driveway, porch railing, steps and protective covering, painting the house, roofing and backyard completed within three months and the Commissioner will visit the property for progress on a monthly basis. Upon each completion of individual project Mr. Donelon is to call for an inspection. If the items are substantially completed the variance to not provide required two-car undercover parking will be extended for 12 months. If the items are not completed within the three months the variance will be null and void and Mr. Donelon will be required to appear at the November Board of Zoning Appeals meeting. **Vote Resulted: Yes – Regis Barrett, Jeanne Hartman, Earl Bloam, Wally Parker, Dean Bredenbeck.**

A motion was made by Jeanne Hartman, second by Regis Barrett to adjourn the meeting. **Vote Resulted: Yes – Regis Barrett, Jeanne Hartman, Earl Bloam, Wally Parker, Dean Bredenbeck.**


Barbara Stanton, Secretary


Regis Barrett, Chairman